

## **Proposed Regional Mixed Use District (rev 4-13-09)**

### **Section 730 – Regional Mixed Use District**

#### **Section 731 – Purpose**

The purpose of the Regional Mixed Use District (RMU) is to promote the goals of the General Plan in areas of the Town that are designated by the General Plan for a combination of land uses in a mixed use development pattern either horizontal or vertical design. This zoning designation recognizes that adherence to a traditional pattern of development standards would preclude the application of a more flexible approach. Commercial, employment, and residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities. Developments within this district shall be compatible with surrounding existing and planned land uses.

#### **Section 732 – Procedures**

1. Application.

Prior to any development with the RMU Zoning District, a Development Plan (DP) shall be reviewed and approved by the Town Council upon recommendation by the Planning Commission pursuant to the procedures established in Figure 7-1.

2. Development Plan. An applicant shall submit a detailed development plan which shall include the following:

2.1. Proposed name of the development.

2.2. Name, address, and telephone number of the property owner and applicant.

2.3. Legal description.

2.4. Description of the proposed land use areas and the specifications including use standards of each area including:

2.4.1. Proposed dwelling unit type, total land area, and maximum density of residential use areas.

2.4.2. Proposed uses other than residential, total land area, and maximum floor area ratios associated with commercial or industrial uses.

2.4.3. Proposed public streetscape and private open space improvements and their relationship to the overall development.

2.4.4. Building heights, minimum lot areas, and setbacks.

2.4.5. A description of architectural theme colors and type of exterior building materials for each structure or group of structures in the MDP.

2.4.6. A description of the landscaping treatment, plant materials, fences, walls, and other open space improvements.

2.4.7. Proposed location of any arterial, collector, or local streets.

2.4.8. Proposed location and use of all lands proposed to be dedicated for public purpose including parks, storm water retention areas, and school sites.

2.4.9. Master water, sewer, and drainage plans.

3. Project Narrative.

3.1. The applicant shall submit a statement describing the terms and conditions under which the property will be developed and maintained subsequent to development. Such statements shall include any conditions, performance standards, and other reasonable restrictions as may be necessary to ensure the development and maintenance of the property in accordance with the approved development plan.

3.2. The applicant shall submit a description of the objectives to be achieved by the development concept. The statement shall include, but is not limited to:

3.3. The manner in which the proposed development meets or exceeds the intent of the PAD district.

3.4. The proposed architectural and site design concepts including style, colors, and type of materials, placement of structures to maximize views and take advantage of the site's natural characteristics.

3.5. Specific concepts by which the proposed development will make an orderly transition from existing or planned adjacent development including varied setbacks and facade treatment, open space elements, screening of parking areas, and landscaping of public or private open spaces and recreational facilities.

3.6. The purpose of this narrative is to provide a clear and concise statement for the review process to ensure a better understanding of the proposed development concept.

4. Site Plans. Upon approval of a development plan, a site plan or each building shall be submitted for review and approval in accordance with Section 1400.

5. Time Schedule for Development. The applicant shall include a tentative schedule for the phasing of the development. The statement shall include the type of development, density, floor area ratios for each phase of the development, and shall be accompanied by a map designating the phases and sequence of development.

6. Amendments

6.1. Minor Amendments

6.1.1. Minor Amendments are allowed for a maximum of ten percent (10%) of any individual Development Plan element to adjust the location of uses shown on the Development Plan and to achieve a more suitable development plan.

6.1.2. Minor amendments do not include an increase in the maximum building height or exception to the building height; or residential density or non-residential intensity.

6.1.3.Minor amendments to the MDCP may be approved by the Town Planner.

7. Major Amendments

7.1. Major amendments are those that increase the maximum allowable building height, residential density, non-residential intensity, and/or that exceed ten (10) percent of an individual MDCP plan element.

7.2. Approval of any major amendments will require review approval of the Town Council upon a recommendation from the Planning Commission.

8. Findings.

The Planning Commission shall base its recommendation and the Town Council shall find that the Development Plan application is consistent with the purpose of the RMU district. The Commission evaluation shall include land use mixture, land use categories, land use intensities, and the proposed development standards.

**Section 733 – Use Regulations**

1. Permitted Uses.

Permitted uses shall be those identified under the RMU district in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts.

2. Conditional Uses.

Conditional uses shall be those identified under the RMU district in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts.

3. Accessory Uses.

Uses which are customary and incidental to the principal use of the property as approved by the Town Planner.

4. Prohibited Uses.

Any use not listed in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts shall be prohibited.

**Section 734 – Development Standards**

Except as identified below all development standards shall be established within the approval process including residential density, lot sizes, building setbacks, required yards, etc.

1. Project Characteristics.

All projects within the RMU district shall have the following characteristics:

1.1. Multiple buildings which may accommodate one or more uses;

1.2. More than one land use within the project;

1.3. Buildings on the site connected by internal streets and drives, and pedestrian connections and pathways; and,

1.4. At least one major public space, such as a plaza, park, town square, or other public gathering space.

2. Minimum Acreage:

The minimum acreage required for a Development Plan shall be ten (10) acres; provided, however, that a parcel of less than ten (10) acres may be approved, subject to compliance with all provisions of this ordinance and approval by the Town Council.

3. Residential

3.1. The density of residential uses shall not exceed twenty (20) units per acre.

3.2. A maximum of thirty (30) percent of the project may be used for stand alone residential uses. Residential uses above the first floor are excluded from this requirement.

3.3. Detached, Single-family Dwellings. No mixed-use development shall contain more than fifty (50) percent of the dwelling units provided in the mixed-use development as detached, single-family dwellings on individual lots.

4. Non-Residential

The overall intensity of non-residential uses shall not exceed 0.8 floor area ratio. The Town Council may approve intensity greater than 0.8 floor area ratio upon finding that adequate infrastructure exist to support the project.

5. Building Height

Maximum allowable building height shall be forty-eight (48) feet. The maximum number of stories shall be three (3) stories.

6. Setbacks

6.1. All setbacks shall be determined as part of the development plan except as follows:

- Arterial – 25 feet
- Collector – 20 feet
- Local – 15 feet

6.2. These areas shall be landscaped in accordance with Section 736 below.

7. Open Space

All projects shall provide open space within the development as follows:

7.1. At least one major public space, such as a plaza, park, town square, or other public gathering space. These spaces should be also be designed and located for substantial public use. The public gathering space should include a significant public amenity, such as water features and/or public art.

- 7.2. A private outdoor living space shall be provided adjoin each dwelling unit equal to a minimum of five (5) percent of the floor area of the dwelling unit.
- 7.3. A minimum of fifteen (15) percent of the site area of the residential development shall be set aside as common open space for recreation uses.
- 7.4. A minimum of ten (10) percent of the site area of the non-residential development shall be set aside as common open space. Such areas shall be used for public plaza areas, outdoor seating areas, or other areas approved by the Town Planner.
- 7.5. All open space areas shall be owned and maintained by a property owners association.

#### **Section 735 – Parking**

Parking shall be provided as required as determined by the Town Planner.

#### **Section 736 – Landscaping**

A common landscape theme shall be established for each Development Plan. All landscaping, including materials and quantities, shall be installed in accordance with the provisions of the Zoning Ordinance.

#### **Section 737 – Design Guidelines**

The Town Council shall adopt design guidelines. Property located within the RMU shall be developed in conformance with the provisions set forth herein and with the guidelines. In the event that a project is proposed prior to adoption of design guidelines, an applicant may propose and the Town Council may approve, design guidelines that address, including but not limited to: architectural style and character, landscaping, lighting, etc.